UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

04 MAR 26 PM 2: 4 E

DENNIS COOK

CASE NO. C-1-02-073

Plaintiff

Judge Weber

VS.

CITY OF NORWOOD, ET AL.

Defendants

NOTICE OF APPEAL

Notice is hereby given that Dennis Cook, Plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the Sixth Circuit from the Court's order denying [43] Motion to Strike, granting [43] Motion to Continue - Discovery deadline is extended to 4/9/04, denying [45] Motion to Strike, denying [46] Motion to Strike, denying [46] Motion to Continue, granting in part and denying in part [47] Motion for Summary Judgment, granting in part and denying in part [48] Motion for Summary Judgment, granting [51] Motion for Leave to File, granting in part and denying in part [52] Motion for Summary Judgment, granting in part and denying in part [54] Motion for Summary Judgment, granting in part and denying in part [60] Motion for Summary Judgment. This case will proceed to trial on the disability discrimination claims in accordance with the scheduled established by the Court. Signed by Judge Herman J. Weber on 2/25/04. (do,)

/s/ Robert G. Kelly

Robert G. Kelly (0002167) Attorney for Plaintiff 4353 Montgomery Road Norwood, Ohio 45212

(513) 531-3636

(513) 531-0135

No business e-mail address

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by ordinary U.S. mail this $\underline{26^{th}}$ day of March, 2004, to the following:

Lawrence E. Barbiere, Esq. Michael E. Maundrell Schroeder, Maundrell, Barbiere & Powers 11935 Mason Road - Suite 110 Cincinnati, Ohio 45249-3703

James F. Brockman, Esq. Lindhorst & Dreidame 312 Walnut Street - Suite 2300 Cincinnati, Ohio 45202

W. McGregor Dixon, Jr., Esq. Shipman, Dixon & Livingston 215 West Water Street Troy, Ohio 45373

Steven C. Martin, Esq. Ziegler & Schneider 541 Buttermilk Pike - Suite 500 Covington, Kentucky 41017-5710

/s/ Robert G. Kelly

Robert G. Kelly